

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 10, 1946

Council Chamber, City Hall

The meeting was called to order at 11:00 A.M., with Mayor Miller presiding.

## Roll Call

Present: Councilman Bartholomew, Mayor Miller, Councilman Wolf.  
Absent: Councilmen Alford and Gillis

Present also: Guiton Morgan, City Manager; J. E. Motheral, City Engineer; W. T. Williams, City Attorney; and R. D. Thorp, Chief of Police.

Mr. E. C. Duke appeared before the Council requesting the use, without any charge, of a part of the Butler Tract for a carnival to be sponsored by the Austin Symphony Orchestra; but upon the suggestion of Mayor Miller that many people did not approve of carnivals and that the Austin Symphony might be harmed more than benefitted by sponsoring such a carnival, Mr. Duke withdrew his request. He expressed appreciation of the cooperation the City of Austin had given the Texas State Guard Battalion.

Pursuant to public notice given in the local newspaper, the proposal of the City Council to amend the Zoning Ordinance in the following particulars came up for public hearing:

(1) To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to wit:

(a) That portion of land in the City of Austin, Texas, being the southeast portion of Lot A, Louisa Peterson Estate and extending a distance of 112.13 feet north-erly along Alice Avenue from the inter-section of Alice Avenue and 40th Street, and for a distance of 109 feet westerly along 40th Street from the intersection of Alice Avenue and 40th Street.

(b) Lots 1, 2 and 3, Block 5, M. A. Jarrell Subdivision.

There being no property owners or other interested persons present to protest the proposed change, the City Attorney was thereupon instructed

to have the ordinances enacting the change prepared for presentation at the next regular meeting.

Pursuant to public notice given in the local newspaper, the proposal of the City Council to amend the Zoning Ordinance in the following particulars came up for public hearing:

(8) To amend the USE designation of the following described property so as to change the same from "A" Residence District and First Height and Area District to "C" Commercial District and First Height and Area District, to wit:

- (a) All that property contained within a strip 125 feet wide and bound on the north by the north boundary line of Lot 17, Harmon Terrace No. 2; on the west by the east boundary line of Highway No. 29; on the south by the south boundary line of Lot 11, Block U, Ridgeway 4th Addition; and on the east by a line parallel with Highway No. 29.

Mr. J. D. Fisk, 914 E. 48 $\frac{1}{2}$  St., presented a petition signed by 17 property owners in this area protesting this change fearing that it would permit the sale of intoxicating liquors in this area. Mrs. Gramon, 918 East 48 $\frac{1}{2}$  St., also appeared in protest; but after being assured that this change would not permit the same of beer or liquor, she withdrew her protest, but Mr. Fisk protested further the community center. In order to give the 17 petitioners an opportunity to be heard before the Council, this hearing was continued until the Council Meeting of January 17.

Pursuant to public notice given in the local newspaper, the proposal of the City Council to amend the Zoning Ordinance in the following particulars came up for public hearing:

(2) That the USE designation of all that property known as Blocks 54, 55, 60 and 61, Outlot 24, Division C, Christian and Fellman Addition, located in the City of Austin, Texas, shall be "B" Residence and Second Height and Area District.

(3) To amend by changing from Second Height and Area District to Third Height and Area District of all the following described property, to wit:

- (a) East 1/2 of Blocks 35, 36, 37, 38 and all of Blocks 39 to 54 inclusive, all in Division E; and the East 1/2 of Blocks 134, 149, 157, 175 and all of Blocks 135, 136, 147, 148, 158, 159, 160, 161, 171, 172, 173 and 174 of the Original City of Austin, Texas.

(4) To amend the USE designation of the following described property so as to change the same from "A" Residence District to "B" Residence District, to wit:

(a) Lots 6, 7, 8 and 9 in Block 1; Lots B. D, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Block 2; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 in Block 3; Lots 1, 2, 3, 4, 5 and 6 in Block 4, all in Outlot 4, Division B.

(5) To amend by changing from Second Height and Area District to First Height and Area District of all the following described property, to wit:

(a) All of Phillip Stewart Home Place; Blocks 2, 3, 4 and 5; South 1/2 of Block 8; Block 9; Blocks 12, 13, 14 and 15, Walch Place Addition; Block 5, Lake Addition; all of that block bounded on the north and west by Cherry Lane, on the east by Rockmoor Avenue and on the south by Bridle Path.

(6) To amend by changing from First Height and Area District to Second Height and Area District of all the following described property, to wit:

(a) Lot A, Block F, Bouldin Addition;

(b) Lots 8 and 9, Block 3; Lots 1 and 2, Block 1; Lots 1, 2, 10 and 11, Block 2; Lots 8, 9, 12 and 13, Block 4, all in the Davis Dawson Addition.

(c) Lots 41 to 73, inclusive, of College Court Addition.

(7) To amend by changing from Second Height and Area District to First Height and Area District of all the following described property, to wit:

(a) All that property abutting East 12th Street, on both sides of the street, and lying in a strip extending east from Poquito Street to the west boundary of the H. & T. C. Ry. right-of-way; and extending north and south from a point 180 feet north of the center line of East 12th Street to a point 180 feet south of the center line of East 12th Street.

The Council discussed these changes and requested the City Attorney to prepare an ordinance covering same and present to the Council. Mr. Eckert, the Building Inspector, was requested to assist the City Attorney in the preparation of this ordinance.

Rickey Key, representing the Austin Real Estate Board, appeared before the Council, asking that Tom Graham's name be submitted for consideration

as a member of the City Plan Commission, to take the place of Murray Graham who recently resigned because of illness. The Mayor thanked the Board for its recommendation, and stated that the appointment would not be made until all of the Council members were present.

The mayor asked that a letter be written Mr. Murray Graham accepting his resignation with regret, and expressing appreciation of the fine work he did while a member of the City Plan Commission.

The following applications for renewal of taxicab drivers' permits, duly approved by the City Manager, were submitted:

Abbett, Iva Otis, 811 W. Mary; Arrington, Hilliar Edward; 2619 Lake Austin Blvd; Armstrong, Benjamin Leslie; 1197 San Benard; Barnard, Ernest Alvin, 32 Salina; Becker, Erneet William; 1506 Hether St.; Brinkley, Marvin Albert; Riverside Court; Burris, John William; 1504 W. 9th; Burns, Rex Nathan; 311 Comal; Barba, Gilbert Ledesma; 1104 E. 8th St; Bishop, Fermon Lee; 2000 South 1st St.; Boyko, William; 100 W. 19th St.; Bradshaw, Clyde; 400 Paul St.; Brinkley, Emmett Eugene; 84 Waller; Carnation, Tony; 1620 E. 3rd; Cascio, John C.; 4209 Guadalupe; Collier, John Wesley; Rt. 2, Box 589; Conner, Lewis Warren; 2218 E. 7th St.; Cook, Christopher Columbus; 307 W. 8th; Cooper, James William; 1108 Nueces; Coss, Joseph Daniel; 1003 Neches, Apt. 3; Crider, Norman Felton; 302½ W. 8th St.; Cunningham, Arthur Ray; 2106 Holly St.; Curry, Emery Russell; 1117 W. 5th St.; Crowe, Robert Leslie; 3002 So. Congress Ave.; Crooks, Clyde Weber; 52 E. Ave.; Davis, Collis Woodrow; 408 Willow; Day, Luther Gordon; 1212 E. 2nd; Delancey, Robert Henney; 106 E. 2nd; Dismuke, Earl; 17 Chicon St.; Donley, Willie; 1304 E. 7th; Donran, J. W.; 99 Comal; East, Arnold James; 2711 S. Congress; Farmer, John Golden; 1503 Newning Avenue; Fitzgerald, Archie Clyde; 4700 San Antonio Hgy.; Goff, Maxie; 700 Oakland; Gumm, Cecil Westerfield; 1614 G.arden St.; Hanna, Fred J., 1907½ Wichita; Hamby, Ekel Tomes; 509 E. 15; Hamby, Virgil Frankling; 3405 Gonzales St.; Hawkins, Clarence Elliotte; 1301 Newning Avenue; Herring, Sidney Orwin; 304 E. 8th St; Howeth, Vernon H.; 112 W. 41st St.; Hickman, Stacy W.; 1216 Holly; Hickson, Troy William; Riverside Courts #30; Hinton, Sylvester Enoch; 2608 South 1st.; Holland, Felix G.; Riverside Tourist Courts; Holman, Charles William; 206 West 45th St.; Hoover, William Martin; 4308 Avenue A; Ingram, Marion R.; 803 E. 14th; Jackson, Emmett; 2307 E. 14th; Johnson, Arthur; 90 Rainey St.; Johnson, (Jack) Rosco M.; Chalmers Court, H, Apt. 8; Kelley, Chester Oran; 4709 Sinclair Avenue; Kunkel, Ernest Jacob, 1211½ West 5; Knox, George; 2202 Pennsylvania Ave.; Leavell, Thomas Edward; 2307 Sabine St.; Lockwood P.B.; 1007 San Jacinto; Maddox, Robert Elmer; 1123 West 5th; McDonald, Roy R.; 500 W. 6th; Merritt, John Randolph; 3811 Guadalupe; Murphy, Mallie Lee; 210 E. 9th; Nichols, Edgar Lee; 4312 Ave. D; Nobles, Eric L.; 710 W. 6th St; Owens, George L.; 4314 Morningside; Owens, Hermon; 1311 W. 6th; Pannell, Melvin, Jr.; 1611 So. 1st; Pannell, Melvin, Sr.; 1204 E. 1st; Quigley, William Francis; Rt. 2, Box 33, 2712 Post Road; Ross, James Leonard; 711 W. Elizabeth; Rountree, Eugene; 4104 Avenue B; Rumsey, M. J.; Rankin Courts; Rhumes, Jasper James; Box 109A; Sconci, Louis; Central Hotel; Salazar, Marcos; 1003 E. 2nd; Sampson, Moses; 1168½ Comal; Schreffler, William Aaron; 1904 W. 10th St.; Shugart, John M; 611 West 5th; Smith, Jesse A.; 1217 Barton Springs Rd.; Stevenson, Edward Miller; 104 Congress Avenue; Simpson, Jasper Ellis; 300 Congress Avenue; Smith, Ira Cleo; 600 Davis; Sloan, Leon Wilford; 15 Chicon; Shipp, James Thomas; 2216 Canterbury; Scott, Mertell Dick; 3915 Speedway; Smith, Louis Marion; 2000 Garden; Smiley, Ermon Earl; 400 Barton Springs Road; Smith, Ralph Hugh; 81 Chalmers St.; Smith, Willie L.; 612 Driskill St.; Staton, Ira Stewart; 68 Julius; Talley, William Frederick; 809 Neches; Taylor, B. Talley; 511 E. 1st; Taylor, Robert Lee; 2000 Poquito; Turner, James Eugene; 1010 Lavaca St.; Townsley, Miles Scott; 2202 Haskill; Velasquez, Roy; 704 E.

11th: Vickers, Charlie James; 307 W. 6th: Ward, Henry Edward; 910 W. Gibson: Whisenant, Herbert Andrew; 3002 S. Congress: White, Herman Ernest; 106 E. 2nd: Williams, Bobbie; 1210 Taylor St.: Wingrouth, Virgil Henry; 4413 Marathon Blvd: Willeford, John Hugh; 1700 W. 30th: Williams, Vernon; 2945 E. 14th: Word, Wallace H; 81 Chalmers St.: Wood, Cecil S., Jr.; 109 E. 16th St.

Councilman Bartholomew moved that the permits be granted. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.  
 Noes: None.  
 Absent: Councilmen Alford and Gillis

Councilman Bartholomew moved the number of taxicabs in operation be increased from 160 to 163. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.  
 Noes: None  
 Absent: Councilmen Alford and Gillis.

The following taxicab operators' licenses, duly approved by the City Manager, were submitted:

Moseley, James Robert; 320 South Congress  
 1940 Ford Sedan, Motor S 216101, License BJ 7149  
 Neal, Pleaman S.; 1516 Lavaca  
 4-door Oldsmobile sedan, 1940, Motor G128188,  
 License FS 5789  
 Pannell, Willard L.; 1208 West 3rd  
 1940 Ford Sedan, Motor 18-5238393, License FT 4409  
 Vasquez, J. G.; 4608 Bennett Avenue  
 1939 Chevrolet, Motor 231 390, License FJ 1201

Councilman Wolf moved that the permits be granted. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf  
 Noes: None  
 Absent: Councilmen Alford and Gillis

The following applications of taxicab drivers' permits, duly approved by the City Manager, were submitted:

Jerome R. Alaniz, 803 Waller  
 Felix Arechiga 904 E. 6th  
 Johnnie Deanda Calanche, 308 E. 11th  
 Alva Dalia Carroll 2119 Brackenridge  
 Hugh Spencer Eaton 109 Neches  
 Anslm Easley Faw 908 Gullett  
 Phillip Hairston Goettal, Men's Confederate Home  
 Edgar Gambrell Grady 2900 Post Road  
 Harrell Meadows Jamar, Rt. 2, Box 163B  
 Hubert Hampton McKenzie, 209 E. 33rd

Willard Lonnie Pannell, 1208 West 3rd  
 Cecil Ray Patterson, 2323 S. Congress  
 James Collier Patterson, Rt. B, Box 6AA  
 Henry Carl Reichardt, Jr., 1904 Neches  
 Edward Riley Rosengren, 96 East Avenue

Councilman Bartholomew moved that the permits be granted. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.  
 Noes: None  
 Absent: Councilmen Alford & Gillis

Application of Eugene Wesley Larson, 308 West 14th Street, for a taxicab driver's permit was submitted. Upon the recommendation of the Chief of Police, the Council agreed to give him a 90-day probationary permit because his driver's license had been cancelled because of the very bad traffic record he had.

Councilman Bartholomew moved that the permit be granted. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, and Councilman Wolf.  
 Noes: None  
 Absent: Councilmen Alford & Gillis

The application of Matthews Speciality Company, Burke and Clyde Matthews, owners, for a change of the southeast corner of a 3-acre tract in the 3200 block of Gonzales Street, from "A" Residence to "D" Industrial, 3rd Height and Area District was referred to the Zoning Board of Adjustment for consideration and recommendation.

A letter from the Travis Post No. 76, American Legion, commending the City Council for its help to the veterans during the Christmas holidays by passing the Fireworks Ordinance was received and ordered filed.

Councilman Wolf moved that a public hearing on change of zoning from "C" Commercial to "C-1" Commercial of the property on Lamar Blvd. on both sides of the street, between 9th and 12th streets, be set for 11:00 o'clock, January 31, 1946, at the request of Judge Powell, Mr. Walter Long, et al. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, Councilman Wolf  
 Noes: None  
 Absent: Councilmen Alford and Gillis

At the request by Tom Graham, Westenfield Development Company, to change the zoning of Lots 1 & 22 of Tarrytown, from "A" Residence to "C" Commercial, Councilman Bartholomew moved that a public hearing on this proposed change be set for January 31, 1946, at 11:00 o'clock. The motion prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, Councilman Wolf  
Noes: None  
Absent: Councilmen Alford and Gillis

Mayor Miller offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, REX D. KITCHENS is the Contractor for the alteration of a building located at 402 West 6th Street and desires a portion of the sidewalk and street space abutting Lot 4 and east $\frac{1}{2}$  of Lot 3, Block 73, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Rex D. Kitchens, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a southerly direction and at right angles to the centerline of West 6th Street to a point 4 feet north of the north curb line; thence in an easterly direction and parallel to the centerline of West 6th Street approximately 46 feet to a point; thence in a northerly direction and at right angles to the centerline of West 6th Street to the south line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Rex D. Kitchens, hereinafter termed "Contractor" upon the following express terms and conditions:

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(3) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of dark-

ness and provide lighting systems for all tunnels.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than March 1, 1946.

(6) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(7) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(8) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes:	Councilman Bartholomew, Mayor Miller, Councilman Wolf
Noes:	None
Absent:	Councilmen Alford & Gillis

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, TEXAS PUBLIC SERVICE COMPANY has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,



BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT TEXAS PUBLIC SERVICE COMPANY be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets;

(1) A gas main in BOULDIN AVENUE, from a point 8 feet north of Daniel Drive northerly 44 feet, the centerline of which gas main shall be 7-1/2 feet west of and parallel to the east property line of said BOULDIN AVENUE.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(2) A gas main in TOWER DRIVE, from a point 100 feet east of Dor-  
marion Lane easterly 110 feet, the centerline of which gas main shall be 7-1/2 feet south of and parallel to the north property line of said TOWER DRIVE.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(3) A gas main in LANCASTER COURT, from East 51st. Street northerly 113 feet, the centerline of which gas main shall be 7-1/2 feet west of and parallel to the east property line of said LANCASTER COURT.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(4) A gas main in WEST 51ST. STREET from Woodrow Street westerly 81 feet, the centerline of which gas main shall be 7-1/2 feet south of and parallel to the north property line of said WEST 51ST STREET.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(5) A gas main in LYNNWOOD AVENUE, from a point 213 feet north of West 49th. Street northerly 54 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said LYNNWOOD AVENUE.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(6) A gas main in HASKELL STREET from a point 122 feet east of Anthony Street westerly 96 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north property line of said Haskell Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(7) A gas main in SOUTH 5TH STREET from a point 73 feet north of West Elizabeth Street northerly 64 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said SOUTH 5TH. STREET.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(8) A gas main in EAST 3RD, STREET from a point 52 feet west of Waller Street westerly 147 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said East 3rd. Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(9) A gas main in PERDENALES STREET from East 4th Street southerly 80 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said PERDENALES STREET.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(10) A gas main in SAN GABRIEL STREET from West 29th Street southerly 44 feet, the centerline of which gas main shall be 23 feet east of and parallel to the west property line of said SAN GABRIEL STREET.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(11) A gas main in EAST 48-1/2 STREET from a point 275 feet west of Harmon Avenue westerly 33 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 48-1/2 ST.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(12) A gas main in WEST 10TH STREET from a point 99 feet west of Patterson Avenue westerly 82 feet, the centerline of which gas main shall be 15 feet north of and parallel to the south property line of said West 10th Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(13) A gas main in WEST 11TH STREET from a point 124 feet west of Toyath Street westerly 96 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WEST 11TH STREET.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(14) A gas main in BAILEY LANE from a point 32 feet north of West 37th Street to a point 287 feet north of West 38th Street, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said BAILEY LANE.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(15) A gasmain in WEST 29TH. STREET from a point 174 feet east of Oakmont Boulevard westerly 96 feet, the centerline of which gas main shall be 7-1/2 feet south of and parallel to the north property line of said WEST 29TH Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, Councilman Wolf  
Noes: None  
Absent: Councilmen Aiford and Gillis.

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northwest intersection of Butler Road and Lamar Boulevard, which property fronts 250 feet on Lamar Boulevard and 339.73 feet on Butler Road, same being a portion of the Isaac Decker League within the City of Austin, and being located at 310 South Lamar Boulevard, and hereby authorizes the said Ben H. Powell, acting by and through Giesecke, Kuehne and Brooks, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic

and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Ben H. Powell, acting by and through Giesecke, Kuehne and Brooks, has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, Councilman Wolf.  
 Noes: None  
 Absent: Councilmen Alford and Gillis

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, delinquent taxes, on personal property, have been paid to the tax Collector of the City of Austin by the following named parties for the years and in the amounts set opposite the name of each of them, viz:

NAME	YEARS	AMOUNT COLLECTED
A. E. Pitts	1935 & 1936	\$ 2.63
Story Frazier	1938 thru 1944	37.06
Charles Lee	1939, 1940, 1942	2.75
Trudo Prince	1939, 1941, 1943, 1944	7.41
Rankin Courts	1944	12.02
Royal Club #2	1944	7.21
Walter Shaw	1939	.53
B. P. Matlock	1944	2.89
Venella Orr	1944	3.85
Annie Harris	1943	.50
Mrs. J. E. Walker	1940 thru 1944	1.65
Lillie Margos	1942, 1943, 1944	.74
J. E. Marshall	1942, 1943, 1944	9.15
U. S. Gregg	1941	3.57
Willie Palmer	1942	6.33
Isaac Williams	1942	4.23
Jack Bartles	1943	3.39
Atilano Gonzales	1942, 1943, 1944	.62
Ernest Stark	1944	1.30
Carl M. Miller	1935 thru 1941	14.08
Earl Ponce	1935, 1942, 1944	4.67
Fred Preston	1936, 1937, 1940	7.27
Viola A. M. Preston	1938, 1939, 1941	8.73
Douglas W. Sandberg	1938, 1939, 1940	11.37
Ida Watts	1943	9.33
Joe A. Merlo	1939 thru 1942, & 1944	9.47
Ed Wiltzius	1939 & 1941 thru 1944	25.68
Lawrence Schieffer	1939, 1942, 1944	5.60
Santos Acosta	1940 thru 1944	3.36
Tom Cooke	1940	3.27
J. H. Irwin	1940	4.91
T. S. Stringer	1940 & 1941	3.11

NAME	YEARS	AMOUNT COLLECTED
Richard G. Guerrero	1941 thru 1944	\$ 10.43
R. H. Montgomery	1941	7.76
Flavio Sandoval	1942 & 1943	5.78
James C. Smith	1942	.13
C. H. Yancy	1943 & 1944	1.93
Arthur DeWitty	1944	4.21
Clarence Frierson	1944	7.99
Lee's Dining Room	1944	12.10
Frank Tisdale	1939 thru 1943	17.97
O. C. Crow	1943 & 1944	19.79
Joe Mandanado	1942	1.99
Frank Sefcik	1942	5.72
A. F. Wende	1942 thru 1944	15.60
L. W. Shaffer	1944	2.94
Carl J. Anderson	1944	2.88
Carolyn Fitzgerald	1944	4.20
George West	1937 thru 1944	7.68
Fred C. Cehand	1941 & 1942	6.05
F. M. Killebrew	1944	.89
Henry Munos, Jr.	1942	2.98
Delona Barnett	1943 & 1944	5.07
Mrs. R. W. Robinson	1943	7.27
James W. Watt	1943	.24
Willie Saldana	1944	.36
Oscar B. Peterson	1944	.22
N. J. Gantt	1931, 1933, 1934, 1936, 1937	10.15
E. G. Grant	1936 & 1937	1.89
Mike Fowler	1938 thru 1943	5.48
W. B. Hendon	1939, 1940, 1941	14.28
J. S. Jones	1941 and 1943	5.22
Carlos Loera	1941	1.78
Oliver B. Stobaugh	1941	2.52
Juan Varela	1941 thru 1944	5.20
J. C. Gerke	1942 & 1943	16.84
T. N. Griffin	1942	3.48
Ira F. Garrett	1943 & 1944	12.31
Raymond Hickman	1944	4.20
Velma S. Hunter	1944	8.30
Wilton Jennings	1944	2.28
Alex D. Krieger	1944	2.40
E. O. Martin	1944	.73
J. M. Walton	1943 & 1944	1.57
Hardie Webb	1943	1.21
Angelita Asevada	1944	.36
J. V. Cook	1944	15.87
R. C. Goode	1944	5.88
Modern Courts	1944	2.40
Mrs. Laura Scherding	1944	5.41
Charles O. Betts	1944	2.14
W. H. George	1932	1.55
J. J. George	1939	2.24
J. E. Brown	1940 & 1944	6.51
Everett Adcock	1941, 1942, 1944	5.94
Charlie Pape	1941 & 1942	11.65
E. R. Daniel	1941	1.28

NAME	YEARS	AMOUNT COLLECTED
Gladstone Ward	1941 thru 1944	\$ 11.75
Lillie B. Wilson	1941 thru 1944	20.03
Bertha Faulkner	1943 & 1944	17.66
Cecil Garner	1943 & 1944	9.89
G. W. Crofoot	1944	6.25
E. L. Dollar	1944	1.32
J. C. Faulkner	1944	5.08
Louis A. Joseph	1944	.60

WHEREAS, all of said payments constitute a final settlement of personal taxes due for the years indicated; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Tax Assessor and Collector of the City of Austin be, and he is hereby authorized to record full payment on all delinquent personal property taxes against said parties and their property for the years for which said tax was assessed.

Which motion, carrying with it the adoption of the resolution, prevailed by the following vote:

Ayes: Councilman Bartholomew, Mayor Miller, Councilman Wolf  
 Noes: None  
 Absent: Councilmen Alford and Gillis

There being no further business, upon motion seconded and carried, the meeting was recessed at 12:30.

Approved: Tom Miller  
 Mayor

ATTEST:

Allen M. Allen

City Clerk